

APPENDIX I:
DECLARATION OF PRELO HOOD

PATENT APPLICATION NO. 09/970,673
ATTORNEY DOCKET NO. 53394.000525IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application Number	:	09/970,673	Confirmation No.:	1835
Applicants	:	Kenneth John MOLEE		
Filed	:	October 5, 2001		
Title	:	Absorbent Product with Reduced Rewet Properties Under Load		
TC/Art Unit	:	3761		
Examiner:	:	Catharine L. Anderson		
Docket No.	:	53394.000525		
Customer No.	:	21967		

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Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

DECLARATION OF PRELO HOOD UNDER 37 C.F.R. § 1.131

Sir:

I, Prelo Hood, declare:

1. I am over twenty-one years of age and make this Declaration in support of the above-identified application.
2. I am currently employed by Tyco Healthcare Retail Group, Inc. of King of Prussia, PA, the parent corporation of the assignee, Paragon Trade Brands, Inc. I have a Bachelors of Engineering Technology from University of North Carolina, Charlotte. I have been employed in the absorbent article industry since 1996, as a Manufacturing Department Manager from 1996 to 1999, and as a Research and Development Project

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Manager from 1999 to 2004. My current position is Legal Liaison to the Research and Development Department, which I have held since 2004.

3. I have read and understand the above-identified application ("the present application"), as well as U.S. Patent No. 5,968,855 to Perdelwitz ("Perdelwitz").

4. I supervised a laboratory test comparing the rewet test method disclosed and claimed in the present application to the rewet test method disclosed in Perdelwitz ("the Perdelwitz method"), and testing an absorbent article such as that disclosed in Perdelwitz under the rewet test method of the present invention.

5. Two products were prepared and tested: Test Product A and Test Product B. Both Test Products were an absorbent article having a liquid impervious outer layer, a liquid pervious inner layer, and an absorbent core disposed between the outer layer and the inner layer. Test Product A had a nonwoven transfer layer disposed between the inner layer and the absorbent core. Test Product B had an apertured film transfer layer disposed between the inner layer and the absorbent core.

6. The nonwoven transfer layer of Test Product A was an adhesive-bonded PET nonwoven material, having a basis weight of 40 grams per square meter (gsm). This nonwoven is equivalent to a carded thermobond PP/PET having a basis weight of 40 gsm. As a transfer layer, I believe that a 40 gsm adhesive-bonded PET nonwoven would produce equivalent or better rewet results, as compared to a 40 gsm PP/PET carded thermobond nonwoven.

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7. The apertured film transfer layer of Test Product B was manufactured by Tredegar Film Products, Inc. of Richmond, VA, as described in the present application. The apertured film comprised liquid impervious film surface having a plurality of protrusions that extend from the surface of the apertured film, each protrusion terminating in an aperture. The apertured film was oriented such that the plurality of protrusions extended toward the absorbent core.

8. Ten samples of Test Product A and ten samples of Test Product B were subjected to the Perdelwitz rewet test method. The Perdelwitz rewet tests were performed according to the test method disclosed in Perdelwitz at column 9, lines 16 through 42, and as outlined in the left-hand column of the table of Exhibit A. Any deviations from the actual test method disclosed in Perdelwitz are clearly identified in Exhibit A. The deviations were due to the inability to produce an exact replica of the Perdelwitz test apparatus. I do not believe that the deviations, alone or in combination, were sufficient to cause a significant difference in the results. Test results produced during the Perdelwitz rewet tests are summarized in Exhibit B.

9. Ten samples of Test Product A and ten samples of Test Product B were subjected to the rewet test method of the present application. These rewet tests were performed according to the test method described on pages 14 through 17 of the specification, and outlined in the right-hand column of the table in Exhibit A. Any deviations from the actual test method disclosed in the present invention are clearly identified in Exhibit A. I do not believe that the deviations, alone or in combination,

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were sufficient to cause a significant difference in the results. Test results produced during the rewet tests performed according to the present application are summarized in Exhibit B.

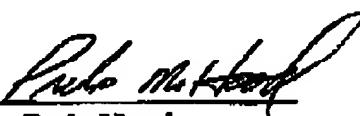
10. The results of the laboratory test demonstrate that the Perdelwitz method produces lower rewet results than the test method of the present application, for products having either an apertured film transfer layer or a nonwoven transfer layer.

11. The results of the laboratory test further demonstrate that an absorbent article having a Perdelwitz-type nonwoven transfer layer does not inherently have a 200 milliliter rewet under load of less than about 1.25 grams and a 300 milliliter rewet under load of less than about 4 grams, when tested according to the test method of the present application.

12. The results of the laboratory test further demonstrate that an absorbent article having an apertured film transfer layer such as claimed in the present application, have lower rewet test results than an absorbent article having a Perdelwitz-type nonwoven transfer layer.

13. I further hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

DECLARANT:


Prelo Hood

Date:

April 26, 2005

Exhibit A: Outline of Rewet Test Methods

Perdelwitz Test Method	Rewet Test Method of Present Application
<p>Strikethrough Plate 4" x 12" x $\frac{1}{4}$" thick 2" i.d. hole cut at 6" o.c. from leading edge 2" i.d. plexiglass tube protruding from hole full 2" i.d. opening to product total weight: 0.3 psi</p> <p>Deviations: (1) Strikethrough plate is 4"x4" (not 4"x12") (2) Strikethrough plate is 1" thick (not $\frac{1}{4}$" thick) (3) The hole and tube have a 1" i.d. (not a 2" i.d.) (4) Total weight is 0.04 psi (not 0.03 psi)</p>	<p>Strikethrough Plate 100 mm square (~4" x 4") x 25mm thick 25mm i.d. hole cut (~1") hole centered on plate tapered hole, six-armed opening to product, six 9.5mm x 1.5mm slots (no weight specified)</p> <p>Deviations: (1) Strikethrough plate is 2.7"x1.5" (not 4"x4") (2) Total weight is 0.14psi (was not specified in original method)</p>
<p>Placement orifice centered 61" [?] from the leading bottom edge of the front waistband centered within the leg cuffs</p> <p>Deviations: (1) Orifice is centered to the transfer layer</p>	<p>Placement orifice placed over the center of absorbent core</p> <p>Deviations: (1) Orifice is centered to the transfer layer</p>
<p>Insults 1) initial - 100 mL (no weight / rewet) 2) 10 mins after initial 100 mL 3) 20 mins after initial 100 mL</p> <p>Total: 300mL</p>	<p>Insults 1) initial 100 mL - 0.5 psi load for 10 minutes - rewet for 10 minutes 2) (~20 mins after initial) 100 mL - 0.5 psi load for 10 minutes - rewet for 10 minutes 3) (~40 mins after initial) 100 mL - 0.5 psi load for 10 minutes - rewet for 10 minutes</p> <p>Total: 300mL</p>
<p>Rewet Method conducted 50 minutes after initial insult load: 4" x 4" weight - 0.5 psi 2 filter papers, 5" square (no weight specified) load / paper maintained for 2 minutes</p>	<p>Rewet Method conducted after every insult load: 2.5" x 2.5" weight - 0.5 psi for first rewet: 18g of filter paper for second rewet: 79g of filter paper for third rewet: 90g of filter paper load / paper maintained for 10 minutes</p> <p>Deviations: (1) Load measures 4"x4" (not 2.5"x2.5"), but is still 0.5 psi (2) Filter papers are 5" square (not specified in method) (3) For first rewet, 29g of filter paper were used (not 18g)</p>

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Exhibit B: Rewet Test Results

	Perdelwitz Test Method	Test Method of Present Application		
		1 st Insult	2 nd Insult	3 rd Insult
Test Product A: 40gsm Adhesive Bond PET Transfer Layer				
	0.90	0.40	2.90	21.20
	1.00	0.50	7.00	40.30
	0.70	0.60	10.30	32.10
	0.70	0.40	11.10	26.38
	0.60	0.70	6.90	30.70
	1.80	0.50	2.90	20.80
	0.80	0.70	2.30	10.40
	1.80	0.50	3.90	10.50
	0.30	0.50	10.50	18.90
	1.30	0.50	1.50	6.40
Ave	0.99	0.53	5.93	21.77
stdev	0.50	0.11	3.71	10.82
Test Product B: 3D Apertured Film Transfer Layer				
	0.10	0.30	0.40	0.50
	0.10	0.40	0.90	2.10
	0.60	0.40	0.50	4.50
	0.10	0.30	0.40	4.20
	0.10	0.50	0.30	0.50
	0.10	0.60	0.40	0.70
	1.00	0.50	0.40	0.50
	0.40	0.40	0.60	0.80
	0.10	0.50	1.50	0.70
	0.20	1.20	0.50	1.20
Ave	0.28	0.51	0.59	1.57
stdev	0.30	0.30	0.36	1.54